

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 18-19**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:	5. DATE OF REQUEST: 02/16/2018	NEED RESPONSE BY: 02/28/2018
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Shasta County	
3. PHONE NO.:      EMAIL:	7. SUBJECT: Definition of Duplicate Participation / BDA	
4. REGULATION CITE(S): 63-602.23, CFR 272.4(e)	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

**Scenario:**

Active case in Missouri includes Mom (head of household) and six family members (her two adult children and their families). Mom receives aid for herself and on behalf of her family. The case will discontinue 02/28/2018 because the entire household moved to California.

In California, the household moves in with mom's husband and two additional children. On 02/01/2018 Mom submits a CalFresh application for herself and the nine remaining household members.

The current application includes seven people in receipt of aid and three people who have not received aid for the month of February 2018. (cont on back)

10. REQUESTOR'S PROPOSED ANSWER:

Both CalFresh and Federal Regulations clearly state the counties are to prevent issuance of duplicate aid; however, these regulations do not provide details regarding households where the aided applicant is asking for additional aid for new unaided household members. For add person applications and ICTs with add person, aid would be given the first of the month following the request to add. It is unclear what process is followed when an aided client moves to California from another state and requests aid for new household members in the same month.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Federal regulations at 7 CFR 272.4 (e) require establishment of a system to assure that no individual participates in SNAP in more than one jurisdiction or household within the same month. In this scenario, no duplicate participation has occurred as the county is aware of the household's circumstances at the time of application, including the current receipt of SNAP by the mother and her children in another state. Therefore, additional verification from the household is not needed and regulations at 7 CFR 273.2 (h) governing delays in processing applications are not applicable. Consistent with MPP Section 63-401.2, CalFresh shall be denied to the mother and her children as long as they receive SNAP in their previous state of residence. A denial notice should be sent to the mother per instructions at MPP Section 63-301.3. The remaining household members (mom's husband and 2 children) would be approved for CalFresh if otherwise eligible (2/1/2018). Those members determined eligible for CalFresh shall have their benefits prorated from the date of application in accordance with MPP Section 63-503.13 and .16. (response continued on next page)

**FOR CDSS USE**

DATE RECEIVED: 2/20/2018	DATE RESPONDED TO COUNTY/ALJ: 3/29/2018 RN
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**CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)****PI#18-19**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: <b>02/16/2018</b>	NEED RESPONSE BY: <b>02/28/2018</b>
		6. COUNTY/ORGANIZATION: <b>Shasta County</b>	
		7. SUBJECT: <b>Definition of Duplicate Participation / BDA</b>	
2. REQUESTOR NAME:		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	
3. PHONE NO.:	EMAIL:		
4. REGULATION CITE(S): <b>63-602.23, CFR 272.4(e)</b>			

County question continued: Both the Missouri case and the California case have mom as the applicant and head of household.

**Questions:**

For February, do we deny the CF application because the head of household/applicant has an open CalFresh case following the rule which states counties are to prevent issuance of duplicate aid?

Or

Do we issue benefits for the three remaining household members using the application date as the beginning date of aid, if otherwise eligible, and deny the remaining aided household members? Will this answer change if the client was an ICT?

Example: Mom is aided in County A. She moves to County B and submits a CalFresh application which includes new household members that are not in receipt of CalFresh.

Using the new application, are we to look at issuing benefits for the new household members even though mom has an active case in another county for the same month? Would the beginning date of aid follow add person rules (first of the following month) or would we aid the remaining household members as of the application date?

**State Policy Response Continued:**

As specified in MPP Section 63-503.45, the mother's income shall not be counted when calculating the household's allotment. Once SNAP terminates in the other state, the mother and other household members would added to the household per MPP Section 63-509 (n)(2) on 3/1/2018.

An ICT doesn't apply to this case since the case involves another state and not a different county. ACL 17-58 establish a more seamless process in the case of an ICT. If the case were an ICT, the mother would not be required to reapply for CalFresh upon relocation to another county.